

REMARKS

In the Office Action of December 29, 2010, claims 1 and 3-23 were rejected under 35 U.S.C. 102(b) as allegedly being anticipated by U.S. Patent Number 7,187,692 B1 (“Ooya et al.”).

In response, Applicants respectfully assert that the cited reference of Ooya et al. fails to disclose at least one limitation of the independent claims 1, 8, 12 and 16, as explained below. In view of the following remarks, Applicants respectfully request the allowance of the pending claims 1 and 3-23.

I. Patentability of Independent Claims 1, 8, 12 and 16

The independent claim 1 recites the limitations of “*wherein each data carrier is configured **to test, before generating its response signal,** whether another data carrier is transmitting its response signal and wherein each data carrier **does not generate its response signal** if another data carrier is already transmitting its response signal*” (emphasis added), which are not disclosed in the cited reference of Ooya et al. Thus, the independent claim 1 is not anticipated by the cited reference of Ooya et al. As such, Applicants respectfully request that the independent claim 1 be allowed.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

The Office Action on pages 13 and 14 states with respect to Ooya that “it can be seen whenever slave stations is about to begin transmitting its ID response signal it will check first if there is another slave station transmitting, which can be interpreted as performing a test, to determine whether another slave station is transmitting a response signal (see fig. 3, slave stations 401, 501 and 601).” However, the Office

Action fails to address the fact that Ooay et al. fails to disclose that this “test” is performed “before generating its response signal” (emphasis added), as recited in the independent claim 1. In addition, Ooya et al. fails to disclose that the slave station “does not generate its response signal if another [slave station] is already transmitting its response signal” (emphasis added), as recited in the independent claim 1.

In column 4, lines 51-67, of Ooya et al., which was cited for disclosing the claimed limitations related to the test performed by each data carrier, the cited reference of Ooya et al. explains that “by... exercising control so that when one of the plurality of slave stations detects that another one of them has already transmitted an ID response signal, the slave station refrains from transmitting an ID response signal.” However, this cited section of Ooya et al. fails to disclose that this “test” is performed by a particular slave station before that particular slave station generates its response signal.

Fig. 5 and corresponding description from line 53 of column 5 thru line 28 of column 7 of Ooya et al. further illustrate the fact that Ooya et al. fails to disclose that a “test” is performed by a particular slave station before that particular slave station generates its response signal. Fig. 5 of Ooya et al. is a flow chart showing the procedures by the control unit 202 of the slave station 201 to transmit an ID response signal. As explained with reference to Fig. 5 of Ooya et al., when an ID request command from the master station 101 is received, the control unit 202 of the slave station 201 calculates the time slot number and the time delay number (See steps S101, S102, S105 and S106 of Fig. 5, column 5, lines 59-67 and column 6, lines 1-14 of Ooya et al.). Then, the control unit 202 sets the timer 206 sequentially using the time slot and time delay numbers (See steps S107, S108 and S109 of Fig. 5, column 7, lines 1-11 of Ooya et al.). Next, if the data transmission detection unit 208 does not detect transmission of a response signal from another slave station and the time has reached the start time of the determined delayed time, the control unit 202 transmits an ID response signal containing the ID of the slave station 201 (See steps S110, S111 and S112, column 7, lines 16-21, of Ooya et al.). There is no description regarding the generation of the ID response signal. This is presumably due to the fact that the ID of the slave station 201, which is a uniquely assigned fixed ID (see column 6, lines

22-23 of Ooya et al.), is pre-stored in the slave station 201 and is sent on demand by the slave station 201 to the master station 101.

Thus, in the system described in Ooya et al., there is no need to generate a response signal after a test to see whether another slave station is transmitting its response signal. Consequently, Ooya et al. fails to disclose that this “test” is performed “***before generating its response signal***” (emphasis added), as recited in the independent claim 1. Furthermore, in the system described in Ooya et al., there is no need to NOT generate a response signal if another slave station is already transmitting its response signal. Consequently, Ooya et al. also fails to disclose that the slave station “***does not generate its response signal if another [slave station] is already transmitting its response signal***” (emphasis added), as recited in the independent claim 1. Therefore, the independent claim 1 is not anticipated by the cited reference of Ooya et al. As such, Applicants respectfully request that the independent claim 1 be allowed.

The above remarks are also applicable to the independent claims 8, 12 and 16, which recite limitations similar to the limitations of the independent claim 1. Thus, Applicants respectfully assert that the independent claims 8, 12 and 16 are also not anticipated by the cited reference of Ooya et al., and request that the independent claims 8, 12 and 16 be allowed as well.

II. Patentability of Dependent Claims 3-7, 9-11, 13-15 and 17-23

Each of the dependent claims 3-7, 9-11, 13-15 and 17-23 depends on one of the independent claims 1, 8, 12 and 16. As such, these dependent claims include all the limitations of their respective base claims. Therefore, Applicants submit that these dependent claims are allowable for the same reasons as their respective base claims. Furthermore, the dependent claims may be allowable for additional reasons.

Applicants respectfully request reconsideration of the claims in view of the remarks made herein. A notice of allowance is earnestly solicited.

Respectfully submitted on behalf of:

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